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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JANIS L. SAMMARTINO)

| | | |
|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. 08CR0828-JLS |
| |) | |
| Plaintiff, |) | DATE: June 6, 2008 |
| |) | TIME: 1:30 p.m. |
| v. |) | |
| |) | NOTICE OF MOTIONS AND MOTIONS TO: |
| JOSE CARMEN RIVAS-CHAVEZ, |) | |
| |) | |
| Defendant. |) | 1) COMPEL DISCOVERY AND |
| |) | PRESERVE EVIDENCE; AND |
| |) | 2) GRANT LEAVE TO FILE FURTHER |
| |) | MOTIONS |

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY; AND
CARLA J. BRESSLER, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that, on June 6, 2008, at 1:30 p.m., or as soon thereafter as counsel may be heard, defendant Jose Carmen Rivas-Chavez, by and through his attorneys, Jennifer L. Coon and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

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MOTIONS

Defendant Jose Carmen Rivas-Chavez, by and through his attorneys, Jennifer L. Coon and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- (1) Compel Discovery and Preserve Evidence; and
- (2) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

DATED: May 9, 2008

/s/ Jennifer L. Coon
JENNIFER L. COON
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Rivas